

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

Yesenia Esparza individually and on behalf of  
other employees similarly situated, Plaintiff  
v.  
LNN, Inc., MNN, Inc., Wing Brothers, Inc.,  
Michael Nardello, and Nick Nardello,  
individually, Defendants

Case No. 1:16-cv-7146

**MOTION FOR COURT APPROVAL OF SETTLEMENT  
AND DISMISSAL OF PLAINTIFF'S CLAIMS**

NOW COMES the Plaintiff through counsel, and moves the Court to approve the settlement entered between Defendants and Plaintiff and submitted to the Court for *in camera* inspection. In support of the motion, the Plaintiff states:

1. On July 11, 2016, Plaintiff filed a Complaint in the United States District Court for the Northern District of Illinois, Eastern Division (the "Court") against Defendants alleging violations of the Fair Labor Standards Act ("FLSA") and the Illinois Minimum Wage Law ("IMWL").
2. Following negotiations between counsel for Defendants (John A. Doerrer who did not file an appearance in the instant matter to conserve resources) and counsel for Plaintiff Valentin T. Narvaez, Defendants and Plaintiff have reached a mutually satisfactory settlement.
3. When an employee asserts a claim against his employer or former employer for wages under the FLSA or IMWL, any settlement of that claim requires a court to review the settlement for fairness. *Walton v. United Consumers Club, Inc.*, 786 F.2d 303, 306 (7th Cir. 1986) (FLSA); *Lewis v. Giordano's Enters., Inc.*, 921 N.E.2d 740, 751 (1st Dist. 2009) (IMWL).
4. The Confidential Settlement Agreement and General Release (the "Agreement") entered into between Plaintiff and Defendants will be submitted to the Court for *in camera* inspection.

5. The Parties request the Court approve the Agreement because it is a fair and reasonable resolution of bona fide disputes over wages under the FLSA and IMWL between Plaintiff and Defendants.
6. Upon approval of the Agreement, the Parties further request the dismissal of Plaintiff's claims without prejudice that will become with prejudice on September 10, 2016, absent a motion to enforce the Parties' settlement of this matter, and with each party to bear his or its own attorneys' fees and costs except as otherwise agreed.

WHEREFORE, for the foregoing reasons, Plaintiff and Defendants respectfully request that this Court enter an Order approving the Confidential Settlement Agreement and General Release as a fair and reasonable resolution of bona fide disputes under the FLSA and IMWL between Plaintiff and Defendants, and dismiss without prejudice that will become with prejudice on September 10, 2016, absent a motion to enforce the Parties' settlement of this matter, and with each party to bear his or its own attorneys' fees and costs except as otherwise agreed.

Respectfully submitted,

**s/ Valentin T. Narvaez**

Plaintiff's counsel

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**CERTIFICATE OF SERVICE**

I, Valentin T. Narvaez, an attorney, hereby certify that on August 15, 2016, I electronically filed a copy of the foregoing **Motion for Court Approval of Settlement and Dismissal of Plaintiff's Claims** with the Clerk of the Court using the CM/ECF system, and sent, by regular US mail a copy to:

John A. Doerrer  
1705 N. Rutherford Ave.  
Chicago IL 60707

By: /s/ Valentin T. Narvaez  
Plaintiff's Counsel